



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/289,785	04/09/1999	JAMES G. HANKO	843161-189	9037

7590 10/08/2003

Brian M. Berliner, esq.
O'MELVENY & MYERS, LLP
400 SOUTH HOPE STREET
LOS ANGELES, CA 90071-2899

EXAMINER

HAVAN, THU THAO

ART UNIT	PAPER NUMBER
----------	--------------

2672

DATE MAILED: 10/08/2003

27

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/289,785

Applicant(s)

HANKO, JAMES G.

Examiner

Thu-Thao Havan

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 and 34-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1-51** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al. (US patent no. 5,515,511) in view of Munson et al. (US patent no. 5,699,277).

Re claims **1, 11, 21, and 31-34**, Nguyen teaches a.) obtaining image data on a server (col. 3, line 28 to col. 4, line 46; fig. 4); b.) transmitting image data from a transmitter on a server via a computer network without conversion to a receiver on a client (col. 3, lines 38-59; figs. 1 and 4 (Figures 1 and 4 clearly illustrated a server and a client for video image compression and decompression)); c.) receiver scaling the image data for display (col. 5, lines 17-43; fig. 1); and d.) computer readable code. Nguyen discloses a computer system (col. 2, line 37 to col. 3, line 37; figs. 1-2) and the computer system has an information system application in order for the scripts or coding to work. A script is a type of computer readable code. Furthermore, Nguyen discloses the amended limitation transmitting clipped image from a transmitter on server via a computer network without conversion to a receiver on a client when he discloses multimedia distribution network for video clipping consisting of client and server (figs. 1

and 4; col. 4, lines 27-67). He discloses the client request a video clip while the server continues to supply video data until the client release the video device.

Nguyen *fails* to specifically disclose clipping image. However, he generally discloses playing video clip in figure 4 (col. 4, lines 27-52) by compress and decompress video images. In video processing, compression and decompression of video images involved clipping video images to restore them into another system. On the other hand, Munson specifically teaches clipping image by clipping a video image (col. 4, lines 11-46; col. 15, line 60 to col. 16, line 65). He teaches clipping a region of a video image that would otherwise be covered up on the graphic display device by a window or other image as determined by a window manager. The video image is clipped prior to being buffered in the graphics memory so that only the portion of the video image that will be visible is actually stored in a frame buffer in graphics memory.

Therefore, taking the combined teaching of Nguyen and Munson as a whole, it would have been obvious to combine the teaching of Munson to the system of Nguyen because doing so would have enabled clipping image by clipping video data from a video that is occluded by another window displayed in a graphics display device as noted in Munson (col. 4, lines 11-46; col. 15, line 60 to col. 16, line 65).

Re claims **2, 12, and 22**, Munson discloses a clip-list (col. 2, line 29 to col. 3, line 27; figs. 2-3). In figure 2, element 804 illustrates list of clipping images.

Re claims **3-4, 13-14, and 23-24**, Munson discloses the determinations of a pixel in the image to a location in at least one clipping region (col. 7, line 30 to col. 8, line 61).

Munson teaches a scaler interface block to determine a pixel in the image in relation to clipping region.

Re claims **5-7, 15-17, and 25-27**, Munson discloses the location comprises a corner of the rectangle and nearest pixels (col. 8, line 62 to col. 15, line 46).

Re claims **35-43**, Nguyen discloses first computer is a server and second computer is a thin client (col. 3, lines 38-59; figs. 1 and 4). Figures 1 and 4 illustrate a server and a client for video image compression and decompression.

Re claims **44-46**, Nguyen discloses computer network is a digital network (col. 2, line 37 to col. 3, line 37; figs. 1-2). In other words, Nguyen discloses a digital network with the servers attached to a plurality of LANs (col. 3, line 17).

Re claims **8-10, 18-20, 28-30, and 47-51**, the limitations of claims 8-10, 18-20, 28-30, and 47-51 are analyzed as discussed with respect to claims 1, 11, 21, and 31 above.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu-Thao Havan whose telephone number is (703) 308-7062. The examiner can normally be reached on Monday to Thursday from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Art Unit: 2672

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Thu-Thao Havan

Art Unit: 2672

October 1, 2003



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600